SECRET Unsealed per Order on 9/3/08.

FILED 2008 AUG 28 PM 2: 59

CLERK US DIGTEST COURT

BY _______DEPUTY

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

June 2008 Grand Jury '08 CR 2933 UNITED STATES OF AMERICA, Criminal Case No. Plaintiff, INDICIMENT v. Title 26, U.S.C., Secs. 5861(d) and 5871 - Possession of an MARCOS ORTIZ HATFIELD, Unregistered Firearm (Felony); Title 18, U.S.C., Sec. 924(d) Defendant. and Title 28, U.S.C., Sec. 2461(c) - Criminal Forfeiture

The grand jury charges:

Count 1

On or about May 31, 2006, within the Southern District of California, defendant MARCOS ORTIZ HATFIELD, did knowingly and unlawfully possess a firearm, to wit: one Falcon, model 337, 12 gauge shotgun, serial number 269, with a barrel less than 18 inches in length, which had not been registered to him in the National Firearms Registration and Transfer Record; in violation of Title 26, United States Code, Sections 5861(d) and 5871, a felony.

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FORFEITURE ALLEGATION

Upon conviction of the offenses alleged in Count 1 of this Indictment, defendant MARCOS ORTIZ HATFIELD shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of the offense, including but not limited to the following:

- a. One Falcon, model 337, 12 gauge shotgun, with serial number 269; and
- b. one Smith and Wesson, model K-22, .22 caliber revolver, with serial number 106483.

All pursuant to Title 18, United States Code, Section 924(d).

DATED: August 28, 2008.

A TRUE BILL:

Foreperson

KAREN P. HEWITT

United States Attorney

OSEPH J.M. ORABONA

Assistant U.S. Attorney